

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING

OF

MONDAY, JULY 19, 1982

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Killea at 2:13 p.m. The meeting was recessed by Deputy Mayor Killea at 3:56 p.m. The meeting was reconvened by Deputy Mayor Killea at 3:56 p.m. with Mayor Wilson and Council Members Struiksma and Gotch not present. Deputy Mayor Killea adjourned the meeting at 5:45 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-excused by R-256878 (vacation).
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-present.
 - (3) Council Member Golding-present.
 - (4) Council Member Williams-present.
 - (5) Council Member Struiksma-excused by R-256720
(vacation).
 - (6) Council Member Gotch-excused by R-256830 (Jury duty).
 - (7) Council Member Murphy-present.
 - (8) Council Member Killea-present.
- Clerk-Abdelnour, Mutascio (eb)

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:
Mayor Wilson-not present.
Council Member Mitchell-present.
Council Member Cleator-present.
Council Member Golding-present.
Council Member Williams-not present.
Council Member Struiksma-not present.
Council Member Gotch-not present.
Council Member Murphy-present.
Council Member Killea-present.

ITEM-10: INVOCATION

Invocation was given by Reverend Jack Barrell, Pastor, East
San Diego Presbyterian Church
FILE LOCATION:

MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Golding.

FILE LOCATION:

MINUTES

ITEM-30: REQUEST DENIED

Matter of the REQUEST of SHARON COOP for a hearing of an APPEAL from the decision of the PLANNING COMMISSION in APPROVING HILLSIDE REVIEW PERMIT HRP-45- 200-0, which originally proposed a 6-unit condominium (The Park) and related grading on LOTS 12 through 16, BLOCK 237, UNIVERSITY HEIGHTS, MAP-638. The applicant submitted a revised plan for a single-family dwelling in lieu of the 6-unit condominium. The subject property is located on the south side of Pennsylvania Avenue between Herbert and Albert Streets, in the R-2 (HR) ZONE and within the boundaries of the Uptown Community Plan. (HRP-45-200-0. DISTRICT-8.)

FILE LOCATION:

PERM HRP-45-200-0

COUNCIL ACTION: (Tape location: A234-585).

MOTION BY CLEATOR TO DENY THE REQUEST FOR A HEARING. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-nay, Mayor Wilson-not present.

* ITEM-50: (O-82-256) ADOPTED AS ORDINANCE O-15776 (New Series)

Amending Chapter II, Article 6 of the San Diego Municipal Code by ADDING SECTION 26.06 relating to the CREATION OF A SMALL BUSINESS ADVISORY BOARD.

(Introduced on 7/6/82. Council voted 8-0. Mayor not present.)

COMMITTEE ACTION: Reviewed by RULES on 6/21/82. Recommendation to INTRODUCE the Ordinance. Districts 2, 3, 4, 8 and Mayor voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A091-101).

CONSENT MOTION BY CLEATOR TO DISPENSE WITH THE READING AND ADOPT.

Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding- yea, Williams-yea, Struiksma-not present,

Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-51: (O-82-226 Rev.) ADOPTED AS ORDINANCE O-15777 (New Series)

Amending Chapter IX, Article 1 of the San Diego Municipal Code by AMENDING SECTIONS 91.0401 through 91.0408 relating to REGULATION OF SWIMMING POOLS OR THERAPEUTIC POOLS.

(Introduced on 7/6/82. Council voted 7-0. District 2 and Mayor not present.)

COMMITTEE ACTION: Reviewed by PSS on 6/16/82. Recommendation to INTRODUCE the Ordinance. Districts 1, 5 and 7 voted yea. Districts 6 and 8 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A091-101).

CONSENT MOTION BY CLEATOR TO DISPENSE WITH THE READING AND ADOPT.

Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding- yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-52: (O-82-225) ADOPTED AS ORDINANCE O-15778 (New Series)

Incorporating a portion of LOTS A-243, A-244, A-245, A-246, LITTLE LANDERS ADDITION NO. 2 and NO. 5, MAP-1405, and LOTS 5, 6 and 10, CORDEAU SUBDIVISION, MAP-2321, (2.26 acres), located on the east and west sides of Averil Road, between South Vista Avenue and Sunset Lane, and on the north side of Pearl Lane, in the San Ysidro Community Plan area, into R-2 ZONE.

(Case-82-0024. Introduced on 7/6/82. Council voted 8-0. Mayor not present. DISTRICT-8.)

FILE LOCATION:

ZONE 7/19/82

COUNCIL ACTION: (Tape location: A091-101).

CONSENT MOTION BY CLEATOR TO DISPENSE WITH THE READING AND ADOPT.

Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding- yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-53: (O-82-262) ADOPTED AS ORDINANCE O-15779 (New Series)

Amending SECTION 1 of ORDINANCE O-15269 (New Series), adopted June 2, 1980, INCORPORATING a portion of LOT 43, HIGHLANDS SUBDIVISION, MAP-284 into M-1B ZONE; extension of

time to July 2, 1984.

(New Case-82-0210/EOT1. Old Case-5-80-002. See Planning Department Report PDR-82-262. Serra Mesa Community Plan area.)

(Introduced on 7/6/82. Council voted 7-0. District 2 and Mayor not present.)

FILE LOCATION:

ZONE 7/19/82

COUNCIL ACTION: (Tape location: A091-101).

CONSENT MOTION BY CLEATOR TO DISPENSE WITH THE READING AND ADOPT.

Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding- yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-100:

Two actions relative to AWARDING CONTRACTS:

(R-82-2278) ADOPTED AS RESOLUTION R-256797

EXCELSWELD CO. OF SAN DIEGO for the purchase of WELDING SERVICES as may be required for a period of one year ending June 30, 1983 for a total estimated cost of \$60,000. BID-4565

(R-82-2277) ADOPTED AS RESOLUTION R-256798

1. ARNHART ELECTRIC, 2. GLOBAL ELECTRIC & MACHINE, and 3. CALIFORNIA ELECTRIC WORKS for the purchase of BALANCING AND MACHINE WORK, as may be required for a period of one year ending June 30, 1983 for a total estimated cost of \$50,000. BID-4566

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A102-110).

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

* ITEM-101:

Two actions relative to the FINAL MAP of HIGH COUNTRY WEST UNIT 7, an 86-lot subdivision located southerly of Lofty Trail Drive and Windy Summit Place in the Rancho Bernardo Community area.

(DISTRICT-1.)

(R-82-2177) ADOPTED AS RESOLUTION R-256799

Authorizing the execution of an AGREEMENT with AVCO COMMUNITY DEVELOPERS, INC., for the INSTALLATION and COMPLETION

of IMPROVEMENTS in the subdivision to be known as HIGH COUNTRY WEST UNIT NO. 7.

(R-82-2176) ADOPTED AS RESOLUTION R-256800

Approving the FINAL SUBDIVISION MAP of HIGH COUNTRY WEST UNIT NO. 7; acknowledging receipt of SUBDIVIDER'S ASSURANCE OF COMPLIANCE with the Affirmative Marketing Program.

FILE LOCATION:

SUBD High Country West Unit 7

COUNCIL ACTION: (Tape location: A102-110).

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

* ITEM-102:

Three actions relative to the FINAL SUBDIVISION MAP of HIGH COUNTRY WEST UNIT 8, a one-lot subdivision located southerly of Maturin Drive and Turtleback Road:

(DISTRICT-1.)

(R-82-2229) ADOPTED AS RESOLUTION R-256801

Authorizing the execution of an AGREEMENT with Avco Community Developers, Inc. for the INSTALLATION and COMPLETION of IMPROVEMENTS.

(R-82-2228) ADOPTED AS RESOLUTION R-256802

Approving the FINAL SUBDIVISION MAP and acknowledging receipt of SUBDIVIDER'S ASSURANCE OF COMPLIANCE with the Affirmative Marketing Program.

(R-82-2235) ADOPTED AS RESOLUTION R-256803

Authorizing the execution of a QUITCLAIM DEED, quitclaiming to AVCO COMMUNITY DEVELOPERS, INC. all the City's right, title and interest in the drainage easement.

FILE LOCATION:

Subitem-A and B SUBD High Country West Unit 8;

Subitem-C

DEED F-1526

COUNCIL ACTION: (Tape location: A102-110).

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

* ITEM-103:

Two actions relative to the FINAL SUBDIVISION MAP of HIGH COUNTRY WEST UNIT 9, a one-lot subdivision located easterly of Maturin Drive and Turtleback Road:

(DISTRICT-1.)

(R-82-2231) ADOPTED AS RESOLUTION R-256804

Authorizing the execution of an AGREEMENT with Avco Community Developers, Inc. for the INSTALLATION and COMPLETION of IMPROVEMENTS.

(R-82-2230) ADOPTED AS RESOLUTION R-256805

APPROVING the FINAL MAP.

FILE LOCATION:

SUBD High Country West Unit 9

COUNCIL ACTION: (Tape location: A102-110).

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

* ITEM-104:

Two actions relative to APPROVING the FINAL MAP of HIGH COUNTRY WEST UNIT 10, a 1-lot subdivision located southerly of Bernardo Center Drive and Maturin Drive in the Rancho Bernardo Community area.

(DISTRICT-1.)

(R-82-2233) ADOPTED AS RESOLUTION R-256806

Authorizing the execution of an AGREEMENT with AVCO COMMUNITY DEVELOPERS, INC., for the INSTALLATION and COMPLETION of IMPROVEMENTS in the subdivision to be known as HIGH COUNTRY WEST UNIT NO. 10.

(R-82-2232) ADOPTED AS RESOLUTION R-256807

Approving the FINAL MAP of HIGH COUNTRY WEST UNIT NO. 10; declaring a portion of Bernardo Center Drive as a public Street and dedicating for public purposes; accepting an EASEMENT for general utility purposes over, under, upon and across a portion of Lot 1.

FILE LOCATION:

SUBD High Country West Unit 10

COUNCIL ACTION: (Tape location: A102-110).

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

* ITEM-105:

Four actions relative to the FINAL SUBDIVISION MAP of MIRAMAR RIDGE, an 18-lot subdivision located NORTHWESTERLY OF MIRAMAR PLACE & MARINDUSTRY DRIVE in the Mira Mesa Community area.

(DISTRICT-5.)

(R-82-1337) ADOPTED AS RESOLUTION R-256808

Authorizing the execution of an AGREEMENT with MERIC PROPERTIES, INC., for the installation and completion of improvements in the subdivision known as MIRAMAR RIDGE.

(R-82-1336) ADOPTED AS RESOLUTION R-256809

APPROVING the FINAL MAP of MIRAMAR RIDGE; rejecting as a dedication a portion of Lot 5, marked "Reserved for Future Street"; accepting the easements with the right of ingress and egress for the construction and maintenance of drainage facilities; accepting the open space easement over, under, upon and across a portion of Lot 13.

(R-82-896) ADOPTED AS RESOLUTION R-256810

Approving the acceptance by the City Manager of that grant deed of MERIC PROPERTIES INC. granting to City Parcel A of MIRAMAR RIDGE.

(R-82-895) ADOPTED AS RESOLUTION R-256811

Authorizing the acceptance by the City Manager of those STREET EASEMENT DEEDS of EASTGATE MIRAMAR ASSOCIATES,

MIDWAY

DRIVE-IN THEATRE CORPORATION, AMERICAN ELECTRIC CONTRACTING CORP., and COLADA CORPORATION, N.V., granting EASEMENTS for street purposes over, along and across a portion of SECTION 10, T15S, R3W, S.B.M., PARCELS 1 and 2, PARCEL MAP PM-7790, and LOT 15, MIRAMAR 805 PROJECT, MAP-10031; and dedicating as and for a public street, and naming the same MIRAMAR PLACE AND MARINDUSTRY DRIVE.

FILE LOCATION:

Subitem-A and B SUBD Miramar Ridge;

Subitem-C DEED F- 1527;

Subitem-D DEED F-1528

COUNCIL ACTION: (Tape location: A102-110).

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea,

Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

* ITEM-106: (R-83-7) ADOPTED AS RESOLUTION R-256812

Authorizing the execution of a DEED conveying to San Diego Gas & Electric Company an EASEMENT for overhead electrical facilities affecting a portion of Rancho San Bernardo.

(Located on Interstate 15 north of Rancho Bernardo Road.

Rancho Bernardo Community area. DISTRICT-1.)

FILE LOCATION:

DEED F-1529

COUNCIL ACTION: (Tape location: A102-110).

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

* ITEM-107: (R-82-2313) ADOPTED AS RESOLUTION R-256813

Authorizing the execution of a DEED conveying to San Diego Gas & Electric Company an EASEMENT for underground electrical facilities affecting a portion of PUEBLO LOTS 278 and 279.

(Located on Interstate 8 at Hicock Street. Midway Community area. DISTRICT-2.)

FILE LOCATION:

DEED F-1530

COUNCIL ACTION: (Tape location: A102-110).

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

* ITEM-108: (R-83-12) ADOPTED AS RESOLUTION R-256814

Authorizing the execution of a DEED conveying to San Diego Gas & Electric Company an EASEMENT for overhead electrical facilities affecting a portion of WEST HALF of the SOUTHWEST QUARTER of SECTION 35, TOWNSHIP 12 SOUTH, RANGE 1 WEST.

(Located Southerly of Bandy Canyon and San Pasqual Valley Roads. San Pasqual Community area. DISTRICT-1.)

FILE LOCATION:

DEED F-1531

COUNCIL ACTION: (Tape location: A102-110).

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed

by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

* ITEM-109: (R-83-10) ADOPTED AS RESOLUTION R-256815

Authorizing the City Manager to GIVE to the CITY of TIJUANA'S FIRE DEPARTMENT ONE 1965 INTERNATIONAL VAN PELT FIRE APPARATUS (City No. F.O. 1242) in exchange for the cooperation of the Fire Department of the City of Tijuana in assisting with the fighting of fires that occur on or near the boundary line that exists between the City of Tijuana and the City of San Diego.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A102-110).

CONSENT MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

ITEM-150: (R-82-2200) ADOPTED AS RESOLUTION R-256816

(Continued from the Meeting of July 6, 1982 at the City Manager's request due to lack of time.)

Authorizing the CITY MANAGER to continue with preparation of the APPROPRIATE DOCUMENTS for the ISSUANCE of ECONOMIC DEVELOPMENT REVENUE BONDS for Merck & Company, Inc. pursuant to the provisions of Resolution R-255558 adopted December 15, 1981.

(See City Manager Report CMR-82-243.)

COMMITTEE ACTION: Reviewed by RULES on 6/21/82. Recommendation to ADOPT the Resolution. Districts 2, 4, 8 and Mayor voted yea. District 3 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A111-231).

MOTION BY MURPHY TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-not present, Williams-yea, Struiksma- not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-200: (O-82-267) INTRODUCED, TO BE ADOPTED AUGUST 2, 1982

Amending CHAPTER II, ARTICLE 2, DIVISION 10, of the SAN DIEGO MINICIPAL CODE by ADDING SECTIONS 22.1020, 22.1021,

22.1022, 22.1023, 22.1024, 22.1025, 22.1026, 22.1027 and
22.1028 relating to REMOVAL OF STRIKING EMPLOYEES.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B105-152).

MOTION BY MURPHY TO INTRODUCE. Second by Cleator. Passed by the
following vote: Mitchell-yea, Cleator-yea, Golding-yea,
Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea,
Killea-yea, Mayor Wilson-not present.

ITEM-201: (O-82-249) INTRODUCED, TO BE ADOPTED AUGUST 2, 1982

Amending CHAPTER II, ARTICLE 2, DIVISION 10 of the SAN DIEGO
MUNICIPAL CODE by amending SECTIONS 22.1010, 22.1011, 22.1012,
22.1013, 22.1014, 22.1016, 22.1017 and 22.1018, relating to
SUGGESTION AWARDS PROGRAM.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B153-196).

MOTION BY MURPHY TO INTRODUCE. Second by Golding. Passed by the
following vote: Mitchell-yea, Cleator-yea, Golding-yea,
Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea,
Killea-yea, Mayor Wilson-not present.

ITEM-202: (O-82-266) INTRODUCED, TO BE ADOPTED AUGUST 2, 1982

Amending CHAPTER II, ARTICLE 2, DIVISION 10 of the SAN DIEGO
MUNICIPAL CODE by AMENDING SECTION 22.1019 entitled "INDUSTRIAL
LEAVE."

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B196-209).

MOTION BY CLEATOR TO INTRODUCE. Second by Murphy. Passed by the
following vote: Mitchell-yea, Cleator-yea, Golding-yea,
Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea,
Killea-yea, Mayor Wilson-not present.

ITEM-203: (R-82-2306) ADOPTED AS RESOLUTION R-256817

Authorizing the City Manager to CONDUCT AN ELECTION among
the MEMBERS OF THE SUPPLEMENTAL PENSION SAVINGS PLAN to seek
participant approval for an AMENDMENT to INCLUDE INDUSTRIAL
LEAVE BENEFITS as ELIGIBLE COMPENSATION for said Plan;
authorizing the City Manager and City Attorney, in the event
the members of the Plan authorize an amendment as a result of

such election, to amend the plan, as required, to conform with such participant approval.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B209-227).

MOTION BY MURPHY TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-204: (R-82-2315) ADOPTED AS RESOLUTION R-256818

VACATING THAT PORTION OF HARBOR DRIVE FROM KETTNER BOULEVARD

TO FIFTH AVENUE under the procedure for the summary vacation of streets where that portion of Harbor Drive is no longer needed for present or prospective public use; reserving and excepting from the foregoing vacation the permanent easements in, under, over, upon, along and across the above described portions of streets to be vacated and abandoned.

(Centre City Community area. DISTRICT-8.)

FILE LOCATION:

STRT J-2440 and DEED F-1532

COUNCIL ACTION: (Tape location: B005-028).

MOTION BY CLEATOR TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-205:

Two actions relative to LA PLAYA AVENUE:

(R-82-2283) ADOPTED AS RESOLUTION R-256819

VACATING A PORTION OF LA PLAYA AVENUE adjacent to LOT 24, BLOCK 28, FORTUNA PARK ADDITION, MAP-894, under the procedure for the summary vacation of streets where that portion of La Playa Avenue is no longer needed for present or prospective public use; reserving and excepting from the foregoing vacation the permanent easements in, under, over, upon, along and across the above described portions of streets to be vacated and abandoned.

(R-82-2281) ADOPTED AS RESOLUTION R-256820

Approving the ACCEPTANCE by the CITY MANAGER of that easement DEED of ARTHUR W. FARLEE and NATALIE FARLEE, granting to said City an open space easement over, under, along and

across that portion of La Playa Avenue as closed and vacated to public use adjacent to LOT 24, BLOCK 28, of FORTUNA PARK ADDITION, MAP-894.

(A parcel map is not involved. Pacific Beach and Mission Bay Community areas. DISTRICT-6.)

FILE LOCATION:

Subitem-A STRT J-2438 and DEED F-1533;

Subitem-B DEED- 1534

COUNCIL ACTION: (Tape location: B030-075).

MOTION BY MURPHY TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struikma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-206:

19820719

Three actions relative to Street Dedication and Vacation of Nobel Drive:

Subitem-A: (R-82-2309) ADOPTED AS RESOLUTION R-256821

VACATING a portion of NOBEL DRIVE under the procedure for the SUMMARY VACATION OF STREETS where that portion has been superseded by relocation.

Subitem-B: (R-82-2298) ADOPTED AS RESOLUTION R-256822

Authorizing the execution of a QUITCLAIM DEED, quitclaiming to La Jolla International, LTD., the revestment of those abutter's rights of access in and to Nobel Drive from Lot 2 of La Jolla International Gardens, MAP-10247.

Subitem-C: (R-82-2297) ADOPTED AS RESOLUTION R-256823

Approving the acceptance by the City Manager of that street easement DEED of LA JOLLA INTERNATIONAL, LTD. granting to said City a right of way for a public street and incidents thereto for that portion of Lot 2 of La Jolla International Gardens, MAP-10247; dedicating said land as and for a public street, and naming the same NOBEL DRIVE.

(Located easterly of Nobel Drive and Lebon Drive. University North Community area. DISTRICT-1.)

FILE LOCATION: Subitem-A STRT J-2439 and DEED F-1535;

Subitem-B DEED F-1536; Subitem-C DEED-1537

COUNCIL ACTION: (Tape location: B076-102).

MOTION BY MURPHY TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-207: (R-82-2196) ADOPTED AS RESOLUTION R-256824

AUTHORIZING the EXECUTION of a FIVE-YEAR LEASE AGREEMENT with William D. Evans for the OPERATION AND MAINTENANCE OF THE CATAMARAN PIER, as a docking facility, at a rental rate of 10 percent of gross income versus \$2,000 per year minimum, whichever is greater.

(Located behind the Catamaran Motor Hotel in Mission Bay Park. Mission Bay Community area. DISTRICT-6.)

FILE LOCATION:

LEAS - Evans William D.

COUNCIL ACTION: (Tape location: C014-046).

MOTION BY MURPHY TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-not present, Williams-yea, Struiksma- not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-208: (R-83-37) ADOPTED AS RESOLUTION R-256825

Authorizing the ACCEPTANCE of LOCAL TRANSPORTATION FUNDS in the amount of \$57,500 from SANDAG for CONDUCTING a BIKEWAY MASTER PLAN STUDY.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: C047-101).

MOTION BY CLEATOR TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-209: (O-83-25) HEARING HELD

Matters of:

a - ANNUAL APPROPRIATION ORDINANCE (BUDGET) proposed to be adopted for the Fiscal Year 1982-83.

(This is the first of two public hearings scheduled pursuant to the provisions of Section 71 of the City Charter which provides that the Annual Appropriation Ordinance shall be

adopted during the month of July.)

b - Use of GENERAL REVENUE SHARING FUNDS and the relationship of these funds to the Annual Budget.

(This is the time set for citizens to ask questions and express their views, either verbally or in writing, concerning the use of General Revenue Sharing Funds.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A587-657).

ITEM-210: CONTINUED TO JULY 26, 1982

19820719

(Continued from the Meetings of May 11 and July 6, 1982; last continued at the City Manager's request.)

Four actions relative to IMPROVING the ALLEY in BLOCK 33, LEXINGTON PARK under the IMPROVEMENT ACT OF 1911:

Subitem-A: (R-82-1486)

Resolution of FEASIBILITY - 8 VOTES REQUIRED.

Subitem-B: (R-82-1484)

Resolution ORDERING WORK.

Subitem-C: (R-82-1485)

Inviting SEALED PROPOSALS.

Subitem-D: (R-82-1483)

Adopting PLANS AND SPECIFICATIONS.

(City Heights Community area. DISTRICT-8.)

(Hearing open. Testimony taken. Mayor not present.)

FILE LOCATION: STRT D-2195

COUNCIL ACTION: (Tape location: A051-090).

MOTION BY MURPHY TO CONTINUE TO JULY 26, 1982 FOR FULL COUNCIL.

Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-not present, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-211: CONTINUED TO JULY 26, 1982

The matter of a REPORT from the METROPOLITAN TRANSIT DEVELOPMENT BOARD staff regarding the SAN DIEGO-CORONADO STRAND EXPRESS.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A051-090).

MOTION BY MURPHY TO CONTINUE TO JULY 26, 1982, AT CITY MANAGER'S REQUEST. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-not present, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-S400: REFERRED TO TRANSPORTATION AND LAND USE COMMITTEE

Matter of CITY MANAGER REPORT CMR-82-275 on the analysis of the application of AMERICAN TELEVISION & COMMUNICATIONS CORPORATION for a RATE INCREASE for CABLE TELEVISION SUBSCRIBERS in RANCHO BERNARDO (per Council Policy 700-33).

(See City Manager report CMR-82-275.)

FILE LOCATION:

FRAN - Television American Television and Communications Corp.

COUNCIL ACTION: (Tape location: A051-090).

MOTION BY MURPHY TO REFER TO TRANSPORTATION AND LAND USE COMMITTEE FOR HEARING ON AUGUST 23, 1982, AT CITY MANAGER'S REQUEST.

Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-not present, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-S401: (O-82-271) INTRODUCED, TO BE ADOPTED AUGUST 2, 1982

INTRODUCTION of an ORDINANCE amending ORDINANCE O-15572 (New Series), adopted by the City Council on August 17, 1981, which amended Chapter II, Article 4, Division 11 of the San Diego Municipal Code, by AMENDING SECTION 1 thereof by AMENDING AND RENUMBERING SECTIONS 24.1114, 24.1115, 24.1116, 24.1117 and 24.1118 and AMENDING SECTION 2 thereof to CHANGE the EFFECTIVE DATE, all relating to the EMPLOYEES' RETIREMENT SYSTEM.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B233-263).

MOTION BY MURPHY TO INTRODUCE. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-S402: (O-82-268) INTRODUCED, TO BE ADOPTED AUGUST 2, 1982

INTRODUCTION of an ORDINANCE amending ORDINANCE O-15554 (New Series), adopted by the City Council on July 27, 1981, which amended Chapter II, Article 4 of the San Diego Municipal Code, by AMENDING SECTIONS 1 and 2 therein by AMENDING DIVISION 10 and DIVISION 11 therein and CHANGING the EFFECTIVE DATE thereof; further amending Chapter II, Article 4 of the San Diego Municipal Code by AMENDING SECTIONS 24.0204 AND 24.0305, all relating to the EMPLOYEES' RETIREMENT SYSTEM.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B263-271).

MOTION BY GOLDING TO INTRODUCE. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmá-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-S403: (R-82-2183) ADOPTED AS AMENDED AS RESOLUTION R-256826

(Continued from the Meetings of July 6, and July 12, 1982; last continued at the City Manager's request.)

Authorizing the execution of a FIRST AMENDMENT to AGREEMENT with Rice, Hall, James and Associates for INVESTMENT COUNSELING SERVICES for the CEMETERY PERPETUITY FUND and the EDWIN A. BENJAMIN MEMORIAL FUND, extending the Agreement for two years from July 1, 1982 through June 30, 1984.

(See City Manager Report CMR-82-254.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B272-393).

MOTION BY MURPHY TO AMEND THE RESOLUTION AND AGREEMENT FOR

A

PERIOD OF SIX MONTHS AND ADOPT AS AMENDED. Second by Mitchell.

Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmá-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-S404: (R-83-75) TRAILED TO JULY 20, 1982

Confirming the APPOINTMENT by the CITY MANAGER of CONNY M. JAMISON to the position of CITY TREASURER, pursuant to the authority of Section 45 of the Charter of The City of San Diego.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B393-686).

Motion by Murphy to adopt. No second

Motion by Williams to continue one week for a report from the City Manager regarding the progress of the City's Affirmative Action Program. Second by Murphy. No vote.

By common consent the item was trailed to July 20, 1982.

ITEM-S405: (R-82-2249) CONTINUED TO AUGUST 16, 1982

(Continued from the Meetings of July 6, and July 12, 1982; last continued at the City Manager's request.)

Declaring that CITY-OWNED portions of SECTION 34, TOWNSHIP 16 SOUTH, RANGE 2 WEST, together with a portion of LOT 2 of C.C. SEAMAN'S SUBDIVISION, MAP-214 are SURPLUS to City needs; authorizing said property, located on College Grove Drive between 54th Street and College Avenue, to be SOLICITED at PUBLIC AUCTION subject to approval of the Council of sale.

(See City Manager Report CMR-82-257. Mid-City Community area. DISTRICT-3.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A051-090).

MOTION BY MURPHY TO CONTINUE TO AUGUST 16, 1982, AT CITY MANAGER'S REQUEST. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-not present, Struiksmas-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-S406: FILED

(Continued from the Meetings of July 6, and July 12, taken on July 13, 1982; last continued at Council Member Mitchell's request.)

SUBMITTED BY CITY ATTORNEY

Proposal for Charter Amendment; Election and Appointment to Fill an Unexpired Term

PORTIONS OF SECTION 12. THE COUNCIL

OLD: Any} NEW: In the event of a} vacancy OLD: occurring} NEW: existing by reason of any cause} in the NEW: office of any member of the} Council NEW: other than the Mayor, the Council} shall OLD: be} NEW: have authority to} fill OLD:ed} NEW: such vacancy} from the District in which the vacancy occurs by appointment by the remaining Council members; OLD: but in the event} NEW: provided, however,} that NEW: if} said remaining

Council members NEW: shall} fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, OLD: they} NEW: the Council} must immediately cause an election to be held to fill such vacancy OLD: ;} NEW: .} OLD: provided, however, that} NEW: Should the vacancy occur within 24 months of the end of a term, such election shall be for the purpose of electing a person to fill the office for the remainder of the existing term and all of the next succeeding term.} OLD: a} NEW: Any} person appointed to fill OLD: such} NEW: a} vacancy shall hold office OLD: only} until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term. NEW: However, if the unexpired term ends during the following calendar year, the election shall be for the purpose of electing a person to fill the unexpired term as well as all of the next succeeding term.}

PORTION OF SECTION 24. MAYOR.

In the event of a vacancy OLD: occurring} NEW: existing by reason of any cause} in the office of the Mayor, OLD: existing by reason of any cause,} the Council shall have authority to fill such vacancy OLD: by appointment}; provided, however, that if the Council shall fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, the Council must immediately cause an election to be held to fill such vacancy. NEW: Should the vacancy occur within 24 months of the end of a term, such election shall be for the purpose of electing a person to fill the office for the remainder of the existing term and all of the next succeeding term.} Any person appointed fill OLD: such} NEW: a} vacancy shall hold office only until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term. NEW: However, if the unexpired term ends during the following calendar year, the election shall be for the purpose of electing a person to fill the unexpired term as well as all of the next succeeding term.}

PORTION OF SECTION 40. CITY ATTORNEY.

In the event of a vacancy OLD: occurring} NEW: existing by reason of any cause } in the office of the City Attorney OLD: by reason of any cause,} the Council shall have authority to fill such vacancy; OLD: which said authority shall be exercised} NEW: provided, however, that if the Council shall fail to fill such vacancy by appointment} within thirty (30) days after the vacancy occurs, NEW: the Council must immediately cause an election to be held to fill such vacancy. Should the vacancy occur within 24 months of the end of a term,

such election shall be for the purpose of electing a person to fill the office for the remainder of the existing term and all of the next succeeding term. } Any person appointed to fill such a vacancy shall hold office until the next regular municipal election, at which time a person shall be elected to serve the unexpired term. OLD: Said appointee shall remain in office until his successor is elected and qualified. } NEW: However, if the unexpired term ends during the following calendar year, the election shall be for the purpose of electing a person to fill the unexpired term as well as all of the next succeeding term. }

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: C110-725).

MOTION BY CLEATOR TO NOTE AND FILE. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-yea, Mayor Wilson- not present.

ITEM-S407: FILED

(Continued from the Meetings of July 6, and July 12, taken on July 13, 1982; last continued at Council Member Mitchell's request.)

SUBMITTED BY COUNCIL MEMBER MIKE GOTCH

Proposal for Charter Amendment: Election and Appointment to Fill an Unexpired Term

PORTION OF SECTION 10. ELECTIONS.

All other OLD: municipal} elections which may be held under this charter shall be known as special municipal elections.
} NEW: or special district elections. }

NEW: At the special district primary election there shall be chosen by the electors of the Council district in which a council vacancy has occurred two candidates for the Office of Council member. }

NEW: At the special district general election the electors of the district in which the vacancy occurs shall select from the candidates chosen at the primary election one candidate for the office of Council member. In the event that one candidate receives a majority of votes cast for all candidates for nomination to such office at such primary election, the candidate so receiving such majority of all votes shall be deemed to be, and declared by the Council to be, elected to such office. }

PORTION OF SECTION 12. THE COUNCIL.

OLD: Any} NEW: In the event of a} vacancy OLD: occurring }

NEW: existing by reason of any cause} in the NEW: office of any member of the} Council NEW: other than the Mayor, the Council} shall OLD: be} NEW: have authority to: fill OLD: ed} NEW: such vacancy} from the District in which the vacancy occurs by appointment by the remaining Council members; OLD: but in the event} NEW: provided, however,} that NEW: if} said remaining Council members NEW: shall} fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, OLD: they} NEW: the Council} must immediately cause OLD: an} NEW: a special municipal} election to be held to fill such a vacancy OLD: ;} NEW: .} OLD: provided, however, that} NEW: The election shall be for the purpose of electing a person to fill the unexpired term. However, should the vacancy occur within 24 months of the end of a term, and provided that said remaining Council members shall fail to fill such vacancy by appointment within thirty (30) days after the vacancy occurs, the Council must immediately cause a special election to be held within the District in which the vacancy occurs to fill such vacancy. The election shall be for the purpose of electing a person to fill the unexpired term.}

Any person appointed to fill OLD: such} NEW: a} vacancy shall hold office only until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term.

PORION OF SECTION 24. MAYOR.

In the event of a vacancy OLD: occurring} NEW: existing by reason of any cause} in the office of the Mayor, OLD: existing by reason of any cause,} the Council OLD: shall have authority to fill such vacancy, provided, however, that if the Council shall fail to fill such vacancy by appointment within thirty (30) days after the vacancy, the Council} must immediately cause OLD: an} NEW: a special municipal} election to be held to fill such vacancy. NEW: Should the vacancy occur within 12 months of the end of the term, such election shall be for the purpose of electing a person to fill the office for the remainder of the existing term and all of the next succeeding term.} OLD: Any person appointed to fill such vacancy shall hold office only until the next regular municipal election, at which date a person shall be elected to serve for the remainder of such unexpired term.}

PORION OF SECTION 40. CITY ATTORNEY.

In the event of a vacancy OLD: occurring} NEW: existing by reason of any cause} in the office of the City Attorney OLD: by reason of any cause,} the Council shall have authority to fill such vacancy; OLD: which said authority shall be exercised}

NEW: provided, however, that if the Council shall fail to fill such vacancy by appointment } within thirty (30) days after the vacancy occurs, NEW: the Council must immediately cause an election to be held to fill such vacancy. Should the vacancy occur within 24 months of the end of a term, such election shall be for the purpose of electing a person to fill the office for the remainder of the existing term and all of the next succeeding term. } Any person appointed to fill OLD: such } NEW: a } vacancy shall hold office until the next regular municipal election, at which time a person shall be elected to serve the unexpired term. OLD: Said appointee shall remain in office until his successor is elected and qualified. } NEW: However, if the unexpired term ends during the following calendar year, the election shall be for the purpose of electing a person to fill the unexpired term as well as all of the next succeeding term. }

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D011-136).

MOTION BY CLEATOR TO NOTE AND FILE. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-not present, Murphy-yea, Killea-nay, Mayor Wilson- not present.

Motion by Killea to amend to allow the Council to have a choice between the election and appointment process. No second.

ITEM-UC-1: (R-83-0000) ADOPTED AS RESOLUTION R-256830

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Mike Gotch from the City Council meeting of Monday, July 19, 1982, for the purpose of jury duty.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D137-139).

MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea Cleator-yea Golding-yea Williams-yea Struiksma-not present Gotch-not present Murphy-yea Killea-yea Mayor Wilson-not present.

ADJOURNMENT:

By common consent the meeting was adjourned by Deputy Mayor Killea at 5:45 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: D140-142).